

Attorney Docket No. 5100-0703.01

PATENT

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By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Bruchez et al.

Serial No.: Not Assigned

Examiner: Not Assigned

Confirmation No.: Not Assigned

Art Unit: Not Assigned

Filed: Herewith

For: LOOP PROBE HYBRIDIZATION ASSAY FOR POLYNUCLEOTIDE ANALYSIS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☒ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 09/815,510 to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.

- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication _____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

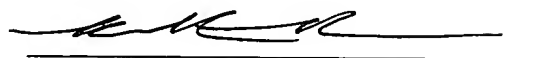
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 11/17/03

Respectfully submitted,

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By:



Roberta L. Robins
Reg. No. 33,208

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PTO/SB/08A (08-00)

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | CON of 09/815,510 |
| | | | | Filing Date | Herewith |
| | | | | First Named Inventor | BRUCHEZ et al. |
| | | | | Group Art Unit | Not Assigned |
| | | | | Examiner Name | Not Assigned |
| Sheet | 1 | of | 2 | Attorney Docket Number | 5100-0703.01 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|----------------------|--------------------------------------|---|--|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
| | | Number | Kind Code ² (if known) | | |
| | A1 | 5,545,531 | | Rava et al. | August 13, 1996 |
| | A2 | 5,691,153 | | Recker et al. | November 25, 1997 |
| | A3 | 5,858,676 | | Yang et al. | January 1999 |
| | A4 | 5,866,336 | | Nazarenko et al. | February 2, 1999 |
| | A5 | 5,939,265 | | Cohen et al. | August 1999 |
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| | A11 | 6,380,377 | | Dattagupta | April 2002 |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | |
| | B1 | | | | | |

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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-00)

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|---|---|----|---|--------------------------|-------------------|
| Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | CON of 09/815,510 |
| | | | | Filing Date | Herewith |
| | | | | First Named Inventor | BRUCHEZ et al. |
| | | | | Group Art Unit | Not Assigned |
| | | | | Examiner Name | Not Assigned |
| Sheet | 2 | of | 2 | Attorney Docket Number | 5100-0703.01 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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¹ Unique citation designation number.

² Applicant is to place a check mark here if English language Translation attached.